

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ORDER

This matter comes before the Court upon Motion by Plaintiff Iridex Corporation's Motion to Destroy Documents Filed Under Seal [doc. #348] and Defendant Synergetics, Inc.'s Consented Motion to Destroy Or Return Documents Filed Under Seal [doc. 349]. On April 11, 2007, the Court entered a Docket Text Order, pursuant to the Stipulation of Dismissal, that all claims and counterclaims in this matter are dismissed with prejudice. Plaintiff and Defendant now seek to have the documents filed under seal destroyed or returned.

IT IS HEREBY ORDERED that Plaintiff's Motion to Destroy Documents Filed Under Seal [doc. 348] is GRANTED, IN PART. The clerk shall return to plaintiff all documents filed under seal in this action, upon the Clerk's completion of a form itemizing the documents returned and indicating to whom they were mailed, which form shall be docketed and filed in the action.

IT IS FURTHER ORDERED that Defendant's Consented Motion to Destroy or Return Documents Filed Under Seal [doc. #349] is GRANTED. The clerk shall return to defendant's counsel all documents filed under seal in this action, upon counsel's signature of a receipt itemizing the documents returned, which receipt shall be docketed and filed in the action.

Counsel shall present a copy of this order to the Clerk when appearing to retrieve sealed documents.

IT IS FURTHER ORDERED that Joint Motion to Return Documents Filed Under Seal [doc. #350] is GRANTED and the Clerk is instructed to return said documents to the specified counsel.

IT IS FURTHER ORDERED that the Clerk return document #62 - Exhibit A to Reply to Response filed on October 5, 2006, to Synergetics, Inc. and document #256 - Proffer of Supplemental Evidence and Exhibit GGG filed on February 8, 2007, to Iridex Corporation.

Dated this 7th day of August, 2007.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE